

Appl. No. 10/662,494
Amdt. dated July 10, 2006
Reply to Final Office Action of January 11, 2006

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REMARKS

Applicants have carefully reviewed the Final Office Action mailed January 11, 2006. Favorable reconsideration is respectfully requested in light of the above amendments and the following comments. Claims 1, 8, 14 and 15 have been amended to more particularly describe the invention. No new matter has been added as a result of these amendments.

In particular, the claims have been amended to recite that when the battery voltage is below the level needed to drive the actuator, the communication control unit does not transmit a request signal until the power required to operate the actuator is provided by the power generation mechanism regardless of whether the communication control unit is supplied with the power necessary to transmit the request signal. This means that even if there is not enough power to drive the actuator, no request signal is generated even if the communication control unit has sufficient power.

Consequently, if the actuator cannot be driven because of a lack of power, there is no communication between the portable device and the communication control unit. Moreover, there is no comparison of ID codes. As a result, power is not consumed in a wasteful manner when no actuation is possible. None of the cited references, either separately or in combination, describe or suggest the claimed invention.

Applicants respectfully traverse the Examiner's rejection of claims 1-3, 6-9 and 12-15 under 35 U.S.C. §103(a) as unpatentable over Linde et al., U.S. Patent No. 5,497,641, in view of Vogele, U.S. Patent No. 6,181,254, and Ohta et al., U.S. Patent No. 6,304,168. One of the requirements of a *prima facie* obviousness rejection is that the cited combination must disclose each and every claimed element. At a minimum, this requirement has not been met, at least with respect to the claims as presently amended.

As admitted by the Examiner (page 5 of the Action), the cited combination of Linde et al. and Vogele does not disclose "the communication control unit is capable of wirelessly transmitting a request signal when the battery has enough power to drive the electric actuator, wherein the portable device wirelessly transmits the ID signal upon receipt of the request signal, and wherein, when the voltage of the battery is below the level needed to drive the electric actuator, the communication control unit does not transmit the request signal until power required for driving the electric actuator is obtained by the power generation mechanism." The

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Examiner relies upon Ohta et al. to suggest these claimed features missing from Linde et al. and Vogelee.

Ohta et al. disclose that the communication control unit is capable of wirelessly transmitting a request signal using battery power and that the portable device wirelessly transmits the ID signal upon receipt of the request signal. However, Ohta et al. do not describe or suggest the claimed feature that "when the voltage of the battery is below the level needed to drive the electric actuator, the communication control unit does not transmit the request signal until power required for driving the electric actuator is obtained by the power generation mechanism." Ohta et al. do not describe or suggest that, in this circumstance, no request signal is transmitted "regardless of whether the communication control unit is supplied with power required for transmitting the request signal."

Therefore, none of the cited references, taken either separately or in combination, disclose each and every claimed element of claim 1, and thus claim 1 should be considered patentable thereover. Claims 2-7 and 14 depend from claim 1 and are similarly patentable. Similarly, claim 8 (and hence claims 9-13 and 15 depending therefrom) have been amended to include the same limitations as claim 1, and are similarly patentable. Favorable reconsideration is respectfully requested.

Applicants respectfully traverse the Examiner's rejection of claims 4-5 and 10-11 under 35 U.S.C. §103(a) as unpatentable over Linde et al., U.S. Patent No. 5,497,641, in view of Vogelee, U.S. Patent No. 6,181,254, and Ohta et al., U.S. Patent No. 6,304,168, and further in view of Yamazake et al., U.S. Patent No. 5,899,828. Linde et al., Vogelee and Ohta et al. are distinguished above as failing to teach the limitations of the independent claims from which claims 4-5 and 10-11 depend.

The Examiner relies upon Yamazake et al. to suggest storing generated power within a battery. However, Yamazake et al. fail to remedy the noted shortcomings of Linde et al., Vogelee and Ohta et al. and thus the cited combination of the four references similarly fails to teach the claimed invention.

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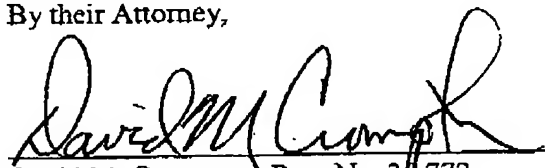
Reexamination and reconsideration are respectfully requested. It is respectfully submitted that all pending claims are now in condition for allowance. Issuance of a Notice of Allowance in due course is requested. If a telephone conference might be of assistance, please contact the undersigned attorney at (612) 677-9050.

Respectfully submitted,

Takashi Ichikawa et al.

By their Attorney,

Date: 7/10/06



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